

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT LEE JONES,

Petitioner,

v

Case No. 4:03 cv 159

THOMAS BIRKETT,

Hon. Wendell A. Miles

Respondent.

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ORDER ADOPTING MAGISTRATE'S  
REPORT AND RECOMMENDATION

On September 2, 2005, United States Magistrate Judge Ellen S. Carmody issued a Report and Recommendation ("R & R") recommending that Robert Lee Jones' petition for writ of habeas corpus be denied. Neither party has filed objections to the R & R. The court, having reviewed the R & R filed by the United States Magistrate Judge in this action, agrees with the recommended disposition contained in the R & R. Judgment will therefore be entered accordingly.

Entered this 31st day of October, 2005.

/s/ Wendell A. Miles  
Wendell A. Miles  
Senior U.S. District Judge